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PATENTS

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Mohamed CHOKRI et al.

CONFIRMATION No. 9853

Serial No. 09/304,564

GROUP 1642

Filed May 4, 1999

Examiner Anne L Holleran

MACROPHAGES, PROCESS FOR PREPARING THE  
SAME AND THEIR USE AS ACTIVE SUBSTANCES  
OF PHARMACEUTICAL COMPOSITIONS

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT

Hon. Commissioner of Patents & Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I.D.M. IMMUNO-DESIGNED MOLECULES of Paris, France, owner of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173, as presently shortened by any Terminal Disclaimer, of prior Patent No. 5,662,899. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of the prior patent, as presently

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shortened by any Terminal Disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

The undersigned is an attorney of record.

  
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(Signature)

May 19, 2003

Robert J. Patch